



CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST-CLASS MAIL IN AN ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER OF PATENTS, WASHINGTON, DC 20231, ON November 25, 2002

Diane K. Halata
Name of Person Mailing the Document

November 25, 2002
Date

81A
1/20/03
RECEIVED
DEC 04 2002
TECH CENTER 1600/2900

Attorney Docket No. P51160

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Erskine, *et al.*

November 25, 2002

Serial No.: 09/912,483

Group Art Unit No.: 1614

Filed: 25 July 2001

Examiner: James Reamer

For: COMPOUNDS AND METHODS FOR THE TREATMENT OF NEOPLASTIC DISEASE

Assistant Commissioner of Patents
Washington, D.C. 20231

AMENDMENT & RESPONSE UNDER 37 C.F.R. §1.111

In response to the Office Action mailed 24 July 2002 (Paper No. 7) (herein "Office Action"), the Applicants respectfully request entry into the record and consideration of this amendment and response. As this amendment and response is timely filed within the shortened statutory period for response of 3 months, no fee is required. Please charge any additional requisite fees relating to this amendment and response to Deposit Account No. 19-2570.

Please amend the above-identified application as follows:

In the Claims:

Please cancel claims 1-12, 16-26, 37, and 38 without prejudice or disclaimer of the subject matter therein and amend the claims as follows:

13. (Amended) A method of modulating the activity of a mammalian type II topoisomerase enzyme comprising contacting said enzyme with a compound of formula (Ia) or a pharmaceutically acceptable derivative thereof:
01/31/2003 HP/EP/LES 00000004 192570 09912483
01 FC:1251 110.00 CH

BEST AVAILABLE COPY